

# ***HAVE YOU BEEN SEPERATED FROM YOUR SIBLING AND WANT TO SEE THEM MORE OFTEN?***



## **KNOW THE FACTS**

Beginning January 1<sup>st</sup> 2015, SB1099, the Sibling Visitation rights bill goes into effect. If you are involved in a sibling visitation case, here are some facts we think you should be aware of:

### **BEFORE SB1099**

- Court reports only needed to discuss names of the siblings visited, and was unclear about the amount of times they visited with that sibling; court reports were not required to be detailed.
- The law only allowed a sibling to petition the court for visitation, there was not a statute to guide the courts on how to rule on such a request.
- The law required issues, such as visitation suspension(s) to be "revisited" every six months, which allowed more room for legal maneuvering (manipulation) that can sometimes lead to a lack of accountability.
- Although many protections already exist for dependent siblings in foster care, there are still cases that are given much less attention in the eyes of the law.



### **AFTER SB1099**

- Court reports need to also discuss whether or not visits are supervised and what it would take for those visits to eventually become unsupervised and therefore more natural for the siblings.
- To address this, court guidelines have been set that require sibling visitation unless it is proven to be unhealthy to the youth.
- SB1099 requires proof of continued detriment before considering any continuances of any suspension(s).
- SB1099 improves visitation between a child in care who has a sibling that is not in care. Courts can order sibling visitation between a dependent and non-dependent sibling if the parent who has custody of the non-dependent child is involved with a juvenile court. The same is true if both siblings are in care and dependents of the court.



\*If you or someone you know is involved in a sibling visitation case and don't feel like proper help is being offered please contact the California Foster Care Ombudsman's Office at 1-877-846-1602.